

415. — The seller is also entitled, if he thinks proper, to intervene in the action in order to deny the claim of the third person.

416. — Whenever the seller is a party to the action the Court shall give judgment deciding on the merits of the case between the buyer and the third person and on the liability of the seller to the buyer.

417. — If in consequence of a claim of a third person the buyer is deprived of the whole of the property sold, he is said to suffer total eviction.

If the buyer is deprived of part of the property sold, or if the property is declared to be subject to a right, the existence of which impairs its value or fitness, the buyer is said to suffer partial eviction.

*ILLUSTRATION. — I. — A sells his house to B. Before B takes possession of the house, A sells it to C. C takes possession. B comes in and ejects C from the house. C suffers total eviction.*

*II. — A leases his house to B for one year and afterwards sells it to C, concealing to C that the house was let. When C comes to take possession of the house, he finds that B is living in it and will not leave it before several months. C suffers partial eviction.*

418. — Whenever the seller is liable for total or partial eviction the buyer has the remedies described in this Code concerning non-performance.

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